

FISCAL NOTE

Bill #: SB0147 **Title:** Redistrict district courts
Primary Sponsor: Thomas, F **Status:** As Introduced

Sponsor signature	Date	Chuck Swysgood, Budget Director	Date
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Fiscal Summary

	<u>FY 2004 Difference</u>	<u>FY 2005 Difference</u>
Expenditures:		
General Fund	\$0	\$0
Revenue:		
General Fund	\$0	\$0
Net Impact on General Fund Balance:	\$0	\$0

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- | | |
|---|---|
| <input type="checkbox"/> Significant Local Gov. Impact | <input type="checkbox"/> Technical Concerns |
| <input type="checkbox"/> Included in the Executive Budget | <input checked="" type="checkbox"/> Significant Long-Term Impacts |
| <input type="checkbox"/> Dedicated Revenue Form Attached | <input type="checkbox"/> Needs to be included in HB 2 |
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Fiscal Analysis

ASSUMPTIONS:

1. This bill changes the boundaries of judicial districts, the number of judges in certain districts, and reduces the number of total districts from 22 to 20.
2. There are 42 district court judges. The number of judges will not change as a result of this bill.
3. Judgeships in judicial districts 15 (Daniels, Sheridan, and Roosevelt) and 5 (Beaverhead, Jefferson, and Madison) will be eliminated.
4. Judicial Districts 1 (Lewis & Clark) and 13 (Yellowstone) will each gain an additional judge.
5. Judgeships (elected officials) cannot be eliminated in mid term. The judgeships in the 15th and 5th judicial districts are up for re-election in 2006.
6. Juvenile probation workloads are tied to communities, not judicial boundaries. There would be no changes impacting the juvenile probation offices.
7. The changes in this bill do not take effect until January 1, 2006 (fiscal year 2006).
8. There are no fiscal impacts to judicial branch in fiscal years 2004 and 2005.
9. See below for long-range impacts.

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LONG-RANGE IMPACTS:

1. As noted above, this bill will not take effect until FY 2006.
2. There are 42 district court judges. The number of judges will not change as a result of this bill. Following are the case filings per judge in districts 5, 15, 1, and 13 in FY 2001:

District 5: one judge at 695 case filings
 District 15: one judge at 369 case filings
 District 1: three judges at 1,233 case filings per judge
 District 13: five judges at 1,060 case filings per judge

Due to lower case loads, districts 5 and 15 currently only have one position associated with each judge (See comment #3). Districts 1 and 13 currently have three positions associated with each judge: a Judicial Assistant, Court Reporter, and Law Clerk. Moving the judges from districts 5 and 15 to districts 1 and 13, respectively, would require the associated positions to be staffed at proportionate levels.

3. Eliminating two judgeships will result in costs savings as a result of eliminating the following positions and related operating costs:

Current District	Position	Annual Salary + Benefits	Operating Costs	Total Cost Reductions
5	Judicial Assistant	34,215	1,656	35,871
15	Court Reporter	37,773	400	38,173
Total				\$74,044

4. It is assumed that office furnishings and equipment are currently shared between the county and the state; therefore the county will retain these items.
5. It is assumed that state owned computer equipment will be outdated by FY 2006 and thus will need to be replaced for any new staff.
6. Each new judgeship would require the following positions: law clerk, judicial assistant, and a court reporter (see explanation under comment #2). Personnel costs are assumed to be at entry level and at FY 2003 spending levels:

Position	Annual Salary	Benefits	Total Cost to the State per Employee
Law Clerk	\$ 28,621	\$ 7,155	\$ 35,776
Judicial Assistant I	\$ 22,422	\$ 5,605	\$ 28,027
Court Reporter	\$ 28,621	\$ 7,155	\$ 35,776
Total per office	\$ 79,664	\$ 19,915	\$ 99,579
Total personal service costs for both offices (99,579 X 2)			\$199,158

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7. The following operating and startup costs will be required. Startup costs will only be incurred in FY 2006 while operating costs will be annual.

Operating Costs (per office)	Amount
Legal Resources	\$6,500
Office Supplies	3,000
Telephone	200
Postage	200
Repair & Maintenance	400
Training and Education	700
Travel	150
Total operating costs per office	11,150
Total Operating Costs for both offices (11,150 X 2)	\$22,300
Startup Costs	
(for 6 new staff members)	
Computers at \$1,351 each	\$8,106
Office Furniture at \$1,500 each	9,000
Total Startup Costs	\$17,106

8. Office furniture includes: chair \$300, desk \$600, book case \$100, file cabinet \$200, and miscellaneous \$300 (phone, garbage can, calculators, staplers, in-baskets, etc.)
9. As noted above, the new judgeships will take effect January 1, 2006; therefore all costs, except for the start up costs, related to the new judges will be for a half a year.
10. It is county responsibility to provide office space for the new judges and staff members. This could create a significant fiscal impact to Lewis & Clark and Yellowstone counties.
11. Summary of fiscal impact.
The net FTE addition is the six new positions, three per judge, minus the two positions that will be eliminated in districts five and fifteen:

LONG-RANGE FISCAL IMPACT:

	<u>FY 2006</u> <u>Difference</u>	<u>FY 2007</u> <u>and beyond</u>
FTE		
Elimination of districts 5 and 15	(2.00)	(2.00)
New staff for two judges	<u>6.00</u>	<u>6.00</u>
TOTAL	4.00	4.00

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Expenditures:

Personal Services		
Elimination of districts 5 and 15	(\$35,994)	(\$71,988)
New staff for two judges	99,579	199,158
Operating Expenses		
Elimination of districts 5 and 15	(1,028)	(2,056)
New staff for two judges	11,150	22,300
Startup costs	<u>17,106</u>	<u>0</u>
TOTAL EXPENDITURES	\$90,813	\$147,414

Funding of Expenditures:

General Fund (01)	\$90,813	\$147,414
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Revenues:

General Fund (01)	\$0	\$0
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Net Impact to Fund Balance (Revenue minus Funding of Expenditures):

General Fund (01)	(\$90,813)	(\$147,414)
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